

SYN. NO. \_\_\_\_\_

AGN. NO. \_\_\_\_\_

MOTION BY SUPERVISOR YAROSLAVSKY & KNABE

September 12, 2006

Beach water quality is a significant public health issue in Los Angeles County which is being addressed at many levels of government through federal, state and local laws.

One of these laws, the Federal Clean Water Act, was amended by Congress in 2000 to require the United States Environmental Protection Agency to conduct studies on the human health effects of pathogens in coastal recreational waters and to develop new water quality criteria published by October 10, 2005. Neither of these deadlines has been met.

The National Resources Defense Council recently filed a lawsuit against the EPA to obtain a court order requiring the EPA to complete the studies and publish the required water quality criteria. The success of this lawsuit could have a substantial impact on the quality of the waters at County beaches and could provide significant assistance to the County and the Flood Control District in their efforts to protect the health of beachgoers and comply with the Clean Water Act. The County and Flood Control District are currently required to comply with state-developed water quality criteria for bacteria at County beaches. These standards have been in place for many years. An updated set of EPA-developed water quality criteria may better define the type and level of human

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pathogens that must be addressed in order to reduce health risk. In addition, the EPA studies could identify more effective indicators for detecting these pathogens, and they may also better identify the programs necessary to address the risk these pathogens create.

For these reasons, it is in the best interests of Los Angeles County for the County and Flood Control District to join the NRDC as plaintiffs in the lawsuit. The relief that could be obtained from a successful resolution of this case would significantly benefit County residents and beachgoers.

**I, THEREFORE, MOVE** that the Board of Supervisors direct the County Counsel to seek court approval for the County and the County Flood Control District to intervene as plaintiffs in the *NRDC v. Johnson lawsuit*.